IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1160 OF 2007
in
JUDGE'S ORDER NO.123 OF 2007
in
AWARD DT.29/5/2001

Babubhai Thiba .. Plaintiff

vs

Rafique Sarang .. Defendant
&
Jagdish Singh Chabra .. Applicant

Mr.U.Chaurasia for Plaintiff

Mr.D.D.Singh for Applicant

CORAM : A.M.KHANWILKAR, J

DATE : 29th March, 2007

P.C.

1. Preliminary objection is raised on behalf of the opposite party that the notice of motion for reliefs claimed is not maintainable. In view of Order 121 of Bombay High Court (Original Side) Rules, 1980 counsel for the applicant therefore prays for withdrawal of this motion with liberty to the applicant to take out fresh application as may be permissible under law. Accordingly, dismissed as withdrawn with liberty as prayed.

2. Counsel for the applicant submits that the applicant has already taken out substantive Chamber Summons. This order is not an expression of any opinion on the merits of the maintainability or

otherwise of the said Chamber Summons. That will have to be considered on its own merits. List Chamber Summons No.27 of 2007 as per its turn under appropriate caption.

(A.M.Khanwilkar, J)